

AN ACT

RELATING TO THE BERNALILLO COUNTY METROPOLITAN COURT;
TRANSFERRING THE TITLE OF THE EXISTING FACILITY TO THE
GENERAL SERVICES DEPARTMENT; AMENDING CERTAIN SECTIONS OF
LAW RELATING TO NEW MEXICO FINANCE AUTHORITY REVENUE BONDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 34-9-15 NMSA 1978 (being Laws 1998
(1st S.S.), Chapter 6, Section 8) is amended to read:

"34-9-15. USE OF BERNALILLO COUNTY METROPOLITAN COURT
FACILITIES. --The administrative office of the courts, as
holder of record title to the existing Bernalillo county
metropolitan court building located on the northwest corner
of Fourth street and Roma avenue northwest in Albuquerque,
shall administer and manage the building in accordance with
the following provisions:

A. after completion of a new Bernalillo county
metropolitan court facility with proceeds of bonds issued by
the New Mexico finance authority, the entire operations,
judges, staff and personnel associated with the Bernalillo
county metropolitan court shall be relocated to the new
facility and the existing facility shall be vacated; and

B. after completion of a new Bernalillo county
metropolitan court facility, the administrative office of
the courts shall then transfer the record title of the

vacated facility to the general services department for the express purpose of housing the district public defender or other state agencies. "

Section 2. Section 34-9-16 NMSA 1978 (being Laws 1998 (1st S.S.), Chapter 6, Section 9) is amended to read:

"34-9-16. NEW MEXICO FINANCE AUTHORITY REVENUE BONDS-- PURPOSE-- APPROPRIATION. --

A. If the fourteen dollar (\$14.00) metropolitan court facilities fees and the ten dollar (\$10.00) magistrate court facilities fees provided in Sections 35-6-1 and 66-8-116.3 NMSA 1978 are imposed by law, the New Mexico finance authority may issue and sell revenue bonds in compliance with the New Mexico Finance Authority Act in installments or at one time in an amount not exceeding forty-six million five hundred thousand dollars (\$46,500,000) for the purpose of financing the acquisition of real property for and the design, construction, furnishing and equipping of a new court building for the Bernalillo county metropolitan court in Albuquerque.

B. The New Mexico finance authority may issue and sell revenue bonds authorized by this section when the chief judge of the Bernalillo county metropolitan court and the court administrator of the Bernalillo county metropolitan court certify the need for issuance of the bonds. The net proceeds from the sale of the bonds are appropriated to the Bernalillo county metropolitan court for the purpose

described in Subsection A of this section.

C. The money distributed from the court facilities fund to the New Mexico finance authority shall be pledged irrevocably for the payment of the principal, interest and other expenses or obligations related to the bonds.

D. Until all bonds authorized by this section and Laws 2000, Chapter 5, Section 2 are issued, any money remaining in the special bond fund or account, after all principal, interest and other expenses or obligations related to the bonds in that fiscal year are fully met, shall be transferred to the magistrate and metropolitan court capital fund. After all bonds authorized by this section and Laws 2000, Chapter 5, Section 2 are issued, up to one million five hundred thousand dollars (\$1,500,000) of any money on deposit in the special bond fund or account in excess of the combined total of the principal, interest and other expenses or obligations related to the bonds coming due in that fiscal year shall be transferred annually to the magistrate and metropolitan court capital fund. After all bonds authorized by this section and Laws 2000, Chapter 5, Section 2 are issued, any amount in the special bond fund or account at the end of each fiscal year not transferred to the magistrate and metropolitan court capital fund shall be used during the succeeding fiscal year for early redemption, defeasance or retirement of bonds selected at the discretion

of the New Mexico finance authority. Upon payment of all principal, interest and other expenses or obligations related to the bonds, the authority shall certify to the administrative office of the courts that all obligations for the bonds issued pursuant to this section have been fully discharged and direct the administrative office of the courts and the state treasurer to cease distributing money from the court facilities fund to the authority and to transfer the money from the court facilities fund to the magistrate and metropolitan court capital fund.

E. Any law imposing court facilities fees, authorizing the collection of court facilities fees or directing deposits into the court facilities fund or distribution of the money in the court facilities fund to the New Mexico finance authority shall not be amended, repealed or otherwise directly or indirectly modified so as to impair outstanding revenue bonds that may be secured by a pledge of the distributions from the court facilities fund to the New Mexico finance authority, unless the revenue bonds have been discharged in full or provisions have been made for a full discharge.

F. The New Mexico finance authority may additionally secure the revenue bonds issued pursuant to this section by a pledge of money in the public project revolving fund with a lien priority on the money in the public project revolving fund as determined by the

authority. "

Section 3. Laws 2000, Chapter 5, Section 2 is amended to read:

"Section 2. NEW MEXICO FINANCE AUTHORITY REVENUE BONDS--PURPOSE--APPROPRIATION. --

A. If the twenty-four-dollar (\$24.00) court facilities fees provided in Sections 35-6-1 and 66-8-116.3 NMSA 1978 are imposed by law and all distributions to the court facilities fund provided in this act become law, the New Mexico finance authority may issue and sell revenue bonds in compliance with the New Mexico Finance Authority Act in installments or at one time in an amount not exceeding eleven million four hundred thousand dollars (\$11,400,000) for the purpose of financing the acquisition of real property for and the design, construction, furnishing and equipping of a parking facility adjacent to the new Bernalillo county metropolitan court building.

B. The New Mexico finance authority may issue and sell revenue bonds authorized by this section when the chief metropolitan judge of the Bernalillo county metropolitan court and the court administrator of the Bernalillo county metropolitan court certify the need for issuance of the bonds. The net proceeds from the sale of the bonds are appropriated to the Bernalillo county metropolitan court for the purpose described in Subsection A of this section.

C. The money distributed from the court

facilities fund to the New Mexico finance authority shall be deposited in a special bond fund or account and pledged irrevocably for the payment of the principal, interest and other expenses or obligations related to the bonds.

D. Until all bonds authorized by this section and by Section 34-9-16 NMSA 1978 are issued, an amount shall be transferred annually to the magistrate and metropolitan court capital fund equal to the money on deposit in the special bond fund or account in excess of the combined total of the principal, interest and other expenses or obligations related to all bonds coming due in that fiscal year.

E. After all bonds authorized by this section and by Section 34-9-16 NMSA 1978 are issued, up to one million five hundred thousand dollars (\$1,500,000) of any money on deposit in the special bond fund or account in excess of the combined total of the principal, interest and other expenses or obligations related to the bonds coming due in that fiscal year shall be transferred annually to the magistrate and metropolitan court capital fund. After all bonds authorized by this section and by Section 34-9-16 NMSA 1978 are issued, any amount in the special bond fund or account at the end of each fiscal year not transferred to the magistrate and metropolitan court capital fund shall be used during the succeeding fiscal year for early redemption, defeasance or retirement of bonds selected at the discretion of the New Mexico finance authority.

F. Upon payment of all principal, interest and other expenses or obligations related to the bonds, the New Mexico finance authority shall certify to the administrative office of the courts that all obligations for the bonds issued pursuant to this section have been fully discharged and direct the administrative office of the courts and the state treasurer to cease distributing money from the court facilities fund to the New Mexico finance authority and to transfer the money from the court facilities fund to the magistrate and metropolitan court capital fund.

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G. Any law imposing court facilities fees, authorizing the collection of court facilities fees or directing deposits of parking fees and charges, lease and rental revenues, or other money into the court facilities fund or distribution of the money in the court facilities fund to the New Mexico finance authority, shall not be amended, repealed or otherwise directly or indirectly modified so as to impair outstanding revenue bonds that may be secured by a pledge of the distributions from the court facilities fund to the New Mexico finance authority, unless the revenue bonds have been discharged in full or provisions have been made for a full discharge.

H. The New Mexico finance authority may additionally secure the revenue bonds issued pursuant to this section by a pledge of money in the public project revolving fund with a lien priority on the money in the

public project revolving fund as determined by the New
Mexico finance authority. " _____
